

AMENDED IN SENATE APRIL 9, 2012

SENATE BILL

No. 1446

Introduced by Senator Negrete McLeod

February 24, 2012

An act to amend ~~Section~~ *Sections 3640 and 3640.7* of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1446, as amended, Negrete McLeod. Naturopathic doctors.

Existing law, the Naturopathic Doctors Act, provides for the licensure and regulation of naturopathic doctors by the Naturopathic Medicine Committee in the Osteopathic Medical Board of California. Existing law authorizes a naturopathic doctor to perform various tasks, including ~~ordering and performing physical and laboratory examinations for diagnostic purposes~~ *dispensing, administering, ordering, and prescribing specified substances, including food, extracts of food, nutraceuticals, and vitamins*. Existing law specifies that this authority does not exempt a naturopathic doctor from meeting applicable licensure requirements for the performance of clinical laboratory tests.

This bill would ~~add a technical cross-reference in that provision to the provisions of existing law relating to clinical laboratory technology~~ *authorize a naturopathic doctor to also furnish the specified substances*.

Existing law authorizes a naturopathic doctor to use specified routes of administration, including intramuscular and intravenous administration, of specified substances, including food, extracts of food, nutraceuticals, and vitamins. Existing law also authorizes a naturopathic doctor to independently prescribe epinephrine to treat anaphylaxis and natural synthetic hormones.

This bill would instead authorize a naturopathic doctor to independently dispense, administer, order, prescribe, or furnish those specified substances, consistent with those specified routes of administration, as well as epinephrine and natural synthetic hormones.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3640 of the Business and Professions
2 Code is amended to read:
3 3640. (a) A naturopathic doctor may order and perform
4 physical and laboratory examinations for diagnostic purposes,
5 including, but not limited to, phlebotomy, clinical laboratory tests,
6 speculum examinations, orificial examinations, and physiological
7 function tests.
8 (b) A naturopathic doctor may order diagnostic imaging studies,
9 including X-ray, ultrasound, mammogram, bone densitometry,
10 and others, consistent with naturopathic training as determined by
11 the committee, but shall refer the studies to an appropriately
12 licensed health care professional to conduct the study and interpret
13 the results.
14 (c) A naturopathic doctor may dispense, administer, order, ~~and~~
15 prescribe, *and furnish* or perform the following:
16 (1) Food, extracts of food, nutraceuticals, vitamins, amino acids,
17 minerals, enzymes, botanicals and their extracts, botanical
18 medicines, homeopathic medicines, all dietary supplements and
19 nonprescription drugs as defined by the federal Food, Drug, and
20 Cosmetic Act, consistent with the routes of administration
21 identified in subdivision (d).
22 (2) Hot or cold hydrotherapy; naturopathic physical medicine
23 inclusive of the manual use of massage, stretching, resistance, or
24 joint play examination but exclusive of small amplitude movement
25 at or beyond the end range of normal joint motion; electromagnetic
26 energy; colon hydrotherapy; and therapeutic exercise.
27 (3) Devices, including, but not limited to, therapeutic devices,
28 barrier contraception, and durable medical equipment.
29 (4) Health education and health counseling.
30 (5) Repair and care incidental to superficial lacerations and
31 abrasions, except suturing.

1 (6) Removal of foreign bodies located in the superficial tissues.

2 (d) A naturopathic doctor may utilize routes of administration
3 that include oral, nasal, auricular, ocular, rectal, vaginal,
4 transdermal, intradermal, subcutaneous, intravenous, and
5 intramuscular.

6 (e) The committee may establish regulations regarding ocular
7 or intravenous routes of administration that are consistent with the
8 education and training of a naturopathic doctor.

9 (f) Nothing in this section shall exempt a naturopathic doctor
10 from meeting applicable licensure requirements for the performance
11 of clinical laboratory tests, including the requirements imposed
12 under Chapter 3 (commencing with Section 1200).

13 ~~(g) The authority to use all routes for furnishing prescription~~
14 ~~drugs as described in Section 3640.5 shall be consistent with the~~
15 ~~oversight and supervision requirements of Section 2836.1.~~

16 *SEC. 2. Section 3640.7 of the Business and Professions Code*
17 *is amended to read:*

18 3640.7. Notwithstanding the requirements of Section 3640.5
19 or any other provision of this chapter, a naturopathic doctor may
20 independently ~~prescribe epinephrine to treat anaphylaxis and~~
21 ~~natural and synthetic hormones. dispense, administer, order,~~
22 *prescribe, or furnish the following:*

23 (a) *Epinephrine to treat anaphylaxis.*

24 (b) *Natural and synthetic hormones.*

25 (c) *Any of the substances listed in paragraph (1) of subdivision*
26 *(c) of Section 3640 consistent with the routes of administration*
27 *identified in subdivision (d) of that section.*